



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,159	02/23/2004	Edward H. Chandler		8496

7590 07/26/2007
Edward H. Chandler
453 Dolphin Street
Melbourne Beach, FL 32951

EXAMINER

MAI, TRI M

ART UNIT	PAPER NUMBER
----------	--------------

3781

MAIL DATE	DELIVERY MODE
-----------	---------------

07/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/785,159	CHANDLER, EDWARD H.	
	Examiner	Art Unit	
	Tri M. Mai	3781	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 13, 14 and 16-24 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Art Unit: 3781

1. Claims 13-14, and 16 are rejected under 35 U.S.C. 102 (b) as being anticipated by Slankster (7059470). Slankster teaches a device having a holding means, fastening means and for securely and removably attached to the exterior of a golf bag as claimed.

Regarding claim 2, note the tab at the tab having a slot holding ring 66. Note that Slankster also teaches a similar device at the bottom at 25A (col. 3, ln. 66).

2. Claim 14 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Slankster. To the degree it is argued that there is no tab and slot at the bottom It would have been obvious for one of ordinary skill in the art to provide such tab as in the top to provide the means for mating with the hook 25A.

3. Claims 13, 16, 17, 19, 23, and 24 are rejected under 35 U.S.C. 102 (b) as being anticipated by Shin (5816396). Shin teaches a device with a holding means and a fastening means as claimed.

Regarding claim 17, note a bifurcated hook in Fig. 1.

4. Claims 18, and 22 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Shin in view of Mejeur (5566870). Mejeur teaches that it is known in the art to provide a fastening device comprising a billet member with hook and loop material. It would have been obvious for one of ordinary skill in the art to provide belt comprising a billet member with hook and loop material as taught by Mejeur to provide an alternative fastening means.

5. Claims 20, and 21 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Shin in view of Little. With respect to the top tabs, note that portions 120a are the top tabs as claimed. With respect to the bottom tab, It would have been obvious for one of ordinary skill in the art to

Art Unit: 3781

provide a bottom tab as taught by Little to provide an alternative means for attaching the belt to the device.

6. Claim 15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. Applicant's arguments filed have been fully considered but they are not persuasive. The amendment fails to read over the prior art of record. With respect to question A, it is noted that in paragraph 8, the examiner wrote "Claims 1, 2, 7-10, and 12". This means that claims 1, 2, 7 through 10, and 12. Thus canceled claim 9 had been previously rejected.

The allowable claim 15, which is similar to that previously allowable claim 3, should be written as a new claim, Claim 13, and all other claims to be canceled:

Claim 13 (New) In a golf club carrying system having a removable device for attaching to the exterior of a golf bag, for holding a golf club or other implement, said device comprising:

holding means for holding the golf club or other implement, and

fastening means for fastening said holding means externally to the golf bag, whereby, said device is securely and removably attached to the exterior of a golf bag providing means for holding and protecting a golf club or other implement used during a round in the game of golf, the golf club or other implement being rendered readily and conveniently accessible by a golfer;

said holding means comprising:

a hollow, open ended, flat or tubular sleeve, and

wherein said sleeve is of predetermined inner diameter, length, width and shape, and

wherein said sleeve is made of flexible plastic or natural or synthetic fabric, and

said sleeve further including front and back sides, top and bottom ends, top and bottom tabs and a slot.

wherein said top tab extends from said top end of said back side of said sleeve and is of predetermined length and width, and

wherein said top tab has a slot of predetermined length, width, location and orientation, and

Art Unit: 3781

wherein said bottom tab extends from said bottom end of said front side of said sleeve and of predetermined length and width, and

wherein said bottom tab has a plurality of slits of predetermined length, width, location and orientation, and

wherein said bottom tab serves to close said bottom end of said sleeve, and

wherein said slot in said sleeve is located near said bottom end of said back side of said sleeve and is of predetermined length, width, location and orientation.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri M. Mai whose telephone number is (571)272-4541. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Stashick can be reached on (571)272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

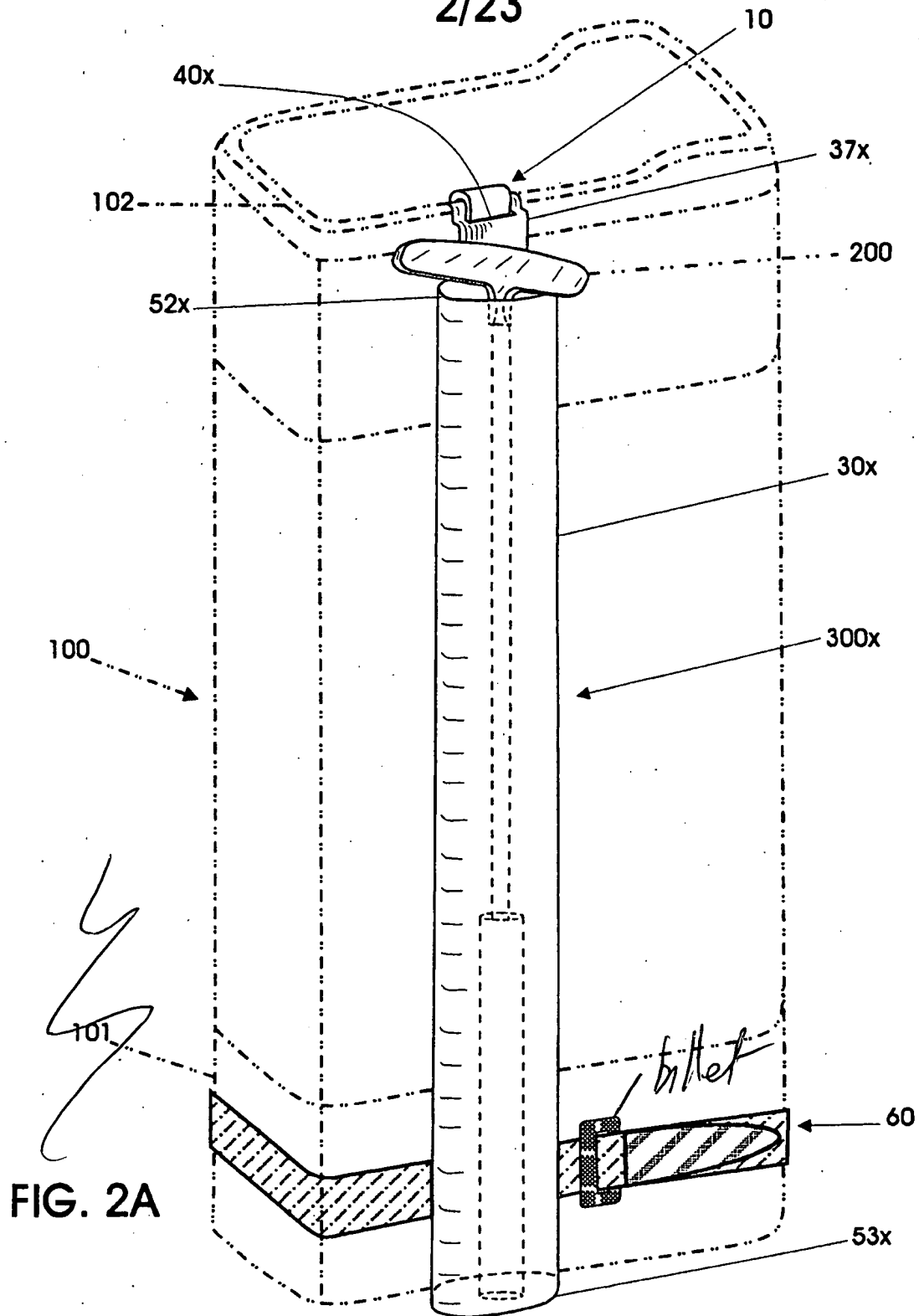
Art Unit: 3781

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tri M. Mai
Primary Examiner
Art Unit 3781



2/23



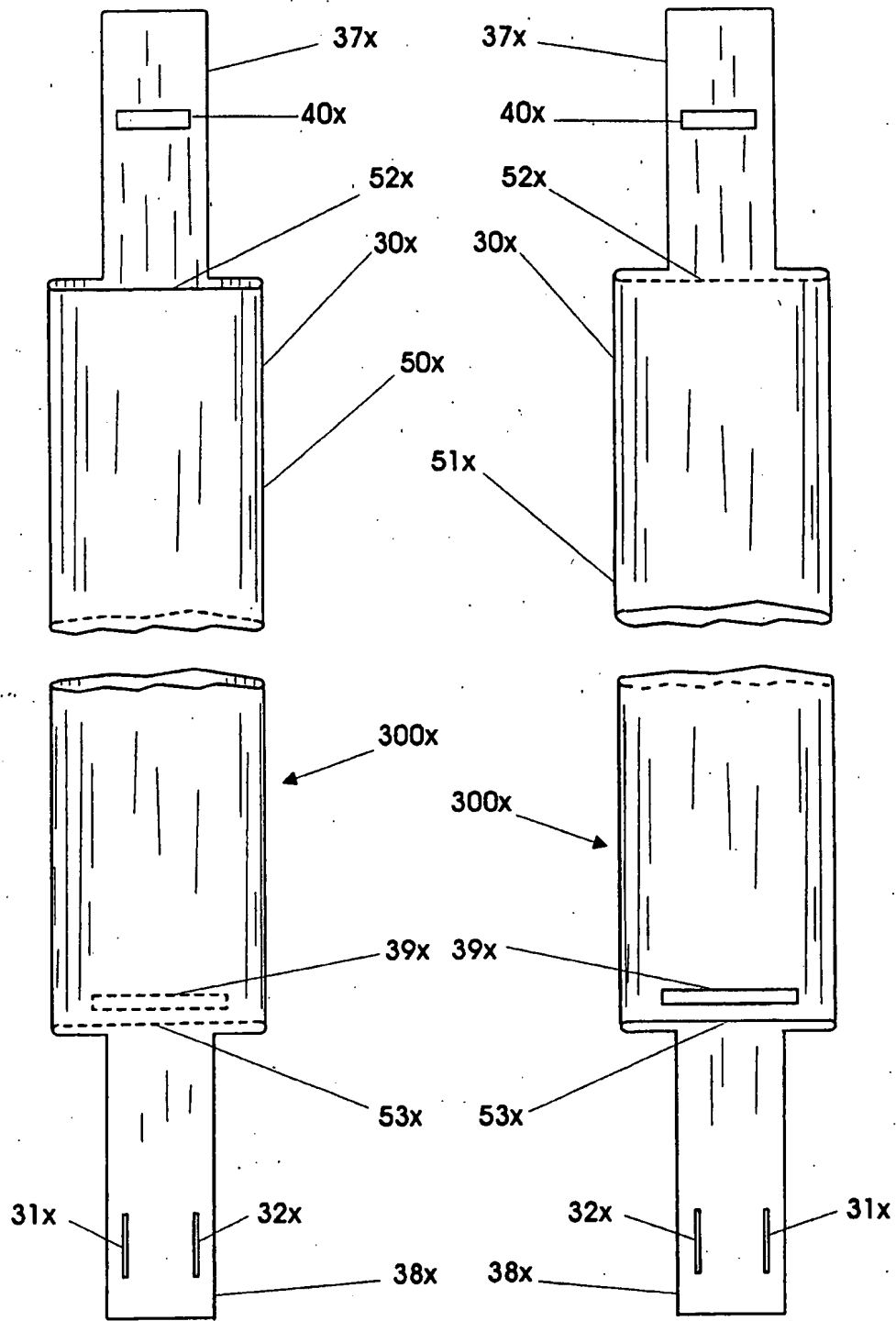


FIG. 3B

FIG. 4B